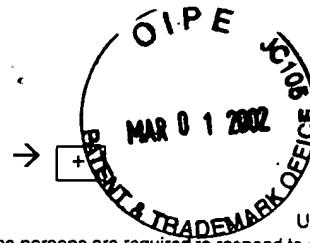


COPY OF PAPERS
ORIGINALLY FILED

Please type a plus sign (+) inside this box



Receipt +
SF5

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number	09/885,750
		Filing Date	Jun 19, 2001
		First Named Inventor	Hankins, Scott A.
		Group Art Unit	2151
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	
		011.0215.01	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Request for Corrected Filing Receipt
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of Response from USPTO
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	Copy of Filing Receipt w/Errors Marked
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	Copy of Application Express Mail label
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copy of Application Transmittal Letter
		Copy of USPS Tracking Record
		Copy of Application Postcard Postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

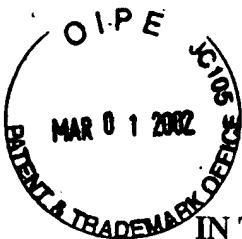
Firm or Individual name	Law Offices of Patrick J.S. Inouye
Signature	
Date	FEB 20 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 21/2/02

Type or printed name	Casey Leichter
Signature	
Date	21/2/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



COPY OF PAPERS
ORIGINALLY FILED

Petition to Correct Filing Date
Docket No. 011.0215.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hankins et al.

Application No.: 09/885,750

Filed: June 19, 2001

Title: System And Method For Dynamically
Controlling A Rogue Application
Through Incremental Bandwidth
Restrictions

Attorney Docket No.: 011.0215.01

Group Art Unit: 2151

Examiner: Unassigned

PETITION TO CORRECT FILING DATE AND FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.10, please correct the filing date and the filing fee received on the Filing Receipt of the above-identified U.S. patent application. This Petition to Correct Filing Date and Filing Receipt (Petition) is the second Petition requesting these corrections, and is filed in response to the Response to Request for Corrected Filing Receipt (Response) mailed from the U.S. Patent and Trademark Office (USPTO) on January 4, 2002.

Filing Date

The correct filing date for the above-identified patent application is **June 19, 2001**. The Filing Receipt mailed from the USPTO on August 13, 2001, incorrectly shows a filing date of June 16, 2001. The following documents are submitted in support of a June 19, 2001 filing date:

- (1) Copy of Express Mail Label No. EL793271872US, with correct date-stamp highlighted;
- (2) Copy of Return Receipt Postcard, showing "Date Mailed: June 19, 2001," highlighted;
- (3) Express Mail Tracking and Delivery record, printed from the official U.S. Postal Service Web Site, showing package acceptance on June 19, 2001, in Seattle, Washington;
- (4) Copy of Utility Patent Application Transmittal with the certificate of mailing certifying

Petition to Correct Filing Date
Docket No. 011.0215.01

deposit with the U.S. Postal Service on June 19, 2001.

In completing the Date In block of the Express Mail label, the postal worker erroneously wrote "6 16 01." However, the correct filing date of June 19, 2001, can be found on the official USPS date-stamp on the same Express Mail label.

Filing Fee

Under Fil Fee Rec'd, replace "1114" with --1600--. Enclosed is a copy of the official Filing Receipt for the above-identified patent application, which has been marked in red ink to identify the correction needed. Copies of the Patent Application Transmittal Sheet and filing fee payment check, verifying the correct information, are also enclosed.

Accordingly, please correct the filing date and the filing fee as shown on the Filing Receipt, and please issue a Corrected Filing Receipt reflecting these changes.

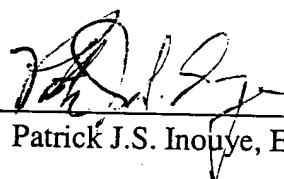
No petition fee is enclosed, as the requested corrections are due to USPTO error.

Respectfully submitted,

Dated:

FEB 20 2002

By:


Patrick J.S. Inouye, Esq., Reg. No. 40,297

The Law Offices of Patrick J.S. Inouye
810 Third Avenue, Suite 258
Seattle, WA 98104
Telephone: (206) 381-3900
Facsimile: (206) 381-3999



22895

PATENT TRADEMARK OFFICE

Pet to Corr Filing Date 2



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
09/885,750	06/16/2001	Scott A. Hankins	011.0215.01

CONFIRMATION NO. 4021

Law Offices of Patrick J.S. Inouye
810 Third Avenue Suite 258
Seattle, WA 98104

COPY OF PAPERS
ORIGINALLY FILED



OC00000007269345

Date Mailed: 01/04/2002



RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The correct application number appears on the Filing Receipt. Your postcard included an incorrect application number. Please update your records to reflect the application number on the enclosed Filing Receipt. See MPEP 503.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a request for a corrected Filing Receipt should be submitted along with a copy of the Express Mail label showing the "date in."
- A copy of the Express Mail label was not enclosed with your request. Please resubmit.
- The date on the Express Mail label is the date given on the Filing Receipt.
- The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- Filing date of a parent application cannot be changed by this request. A request for corrected Filing Receipt must be directed to such parent application.
- Applications submitted under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office.
- The filing date on your return postcard is the same as the date on your Filing Receipt.

A petition under 37 CFR 1.10 or 1.53 is needed to correct the filing date. The petition should be

directed to the attention of the Office of Petitions.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



COPY OF PAPERS
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/885,750	06/16/2001	2151	1114	011.0215.01	11	38	4

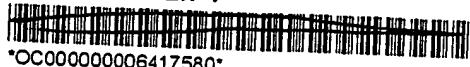
06/19/2001

Law Offices of Patrick J.S. Inouye
810 Third Avenue Suite 258
Seattle, WA 98104



CONFIRMATION NO. 4021

FILING RECEIPT



Date Mailed: 08/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Scott A. Hankins, Cupertino, CA;
Brett A. Galloway, Los Altos, CA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/13/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

System and method for dynamically controlling a rogue application through incremental bandwidth restrictions

Preliminary Class

709

Data entry by : PHAM, TRUONG

Team : OIPE

Date: 08/13/2001





LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

COPY OF PAPERS
ORIGINALLY FILED

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
 Office of Initial Patent Examination
 Customer Service Center
 Washington, DC 20231



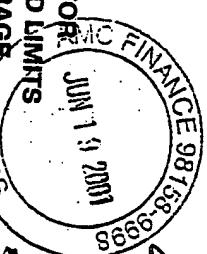
**POST OFFICE
TO ADDRESSEE**



EL 793271872 US

ORIGIN (POSTAL USE ONLY)	
PO ZIP CODE <i>8158</i>	
Date of 1/15/01	
Day of Delivery <input type="checkbox"/> Mon <input checked="" type="checkbox"/> Tues <input type="checkbox"/> Wed <input type="checkbox"/> Thurs <input type="checkbox"/> Fri <input type="checkbox"/> Sat <input type="checkbox"/> Sun	
Flat Rate Envelope	
Weight 10.3 oz	
Dimensions 12 x 12 x 12 in	
Method of Payment <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	
Customer Use Only	
Acceptance Clerk Initials <i>1234</i>	
Total Postage & Fees \$ 16.00	
COD Fee Insurance Fee	

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE



Customer Copy
Label 14-F August 2000

WAIVER OR SIGNATURE (Domestic Only): Additional merchandise insurance is valid if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY Weekend Holiday

Customer Signature

Patent Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

TO: (PLEASE PRINT)

LAUREL OFFICES LTD
PATRICK J. ST. INNOVATION
101 2nd AVE S STE 2500
SEATTLE WA 98104-1647

COMMISSIONER FOR PATENTS
WASHINGTON DC
WASHINGON
DC 20231-1647

101.0215.01

Box Patent Application

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



COPY

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.
011.0215.01

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

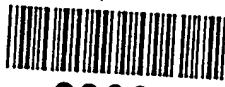
Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Scott A. Hankins, entitled System And Method For Dynamically Controlling A Rogue Application Through Incremental Bandwidth Restrictions, for a(n)

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____

() A statement claiming priority under 35 USC § 120 has been added to the specification.


22895
PATENT TRADEMARK OFFICE

Enclosed are:

(X) Specification; 32 Total Pages. (X) Drawing(s); 11 Total Sheets.
 (X) Oath or Declaration:
 (X) A Newly Executed Combined Declaration and Power of Attorney:
 (X) Signed. () Unsigned. () Partially Signed.
 () A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
 () Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.
 () Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
 (X) Formal Drawings Transmittal Letter. (X) Return Receipt Postcard.
 () Associate Power of Attorney. (X) A Check in the amount of \$1600 for the Filing Fee.
 () Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
 (X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
 (X) Request and Certification Under 35 USC 122(b)(2)(B)(i)
 () Applicant claims small entity status.
 () Other: _____

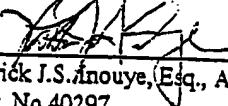
COPY

COPY OF PAPERS
ORIGINALLY FILED
 O I P E
 MAR 01 2002
 PATENT TRADEMARK OFFICE

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	50	30	\$18.00	\$ 540.00
Independent Claims	4	1	\$80.00	\$ 80.00
Multiple Dependent Claims (if applicable)				\$270.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$710.00
			Total Filing Fee	\$1,600.00

Charge \$ _____ to Deposit Account 501144 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: 
 Patrick J.S. Inouye, Esq., Attorney of Record
 Reg. No. 40297

Date: June 19, 2001

Correspondence Address:

Law Offices of Patrick J.S. Inouye
 810 Third Avenue Suite 258
 Seattle, WA 98104
 Phone: (206) 381-3900
 Fax: (206) 381-3999

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents
 Box Patent Application
 Washington, D.C. 20231

By: 

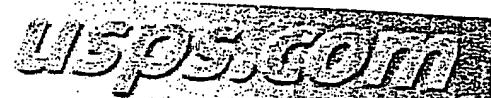
Typed Name: Patrick J.S. Inouye

Express Mail Label No.: EL793271872US

Date of Deposit: June 19, 2001



COPY OF PAPERS
ORIGINALLY FILED



Home | Sign In | Find ZIP Codes | Calculate Postage | Change Address | Locate Post Offices | Track/C



Introduction
Ship
Rates
Supplies
Web Tools

Track & Confirm
Delivery Confirmation™
Signature Confirmation™

Keyword/Search

Shipping Solutions *Track & Confirm*



Shipment History

You entered EL793271872US

Your item was delivered at 11:05 am on June 21 in WASHINGTON DC 20231 to G Bethea.

Track & Confirm

Enter number from shipping ri

Here is what happened earlier:

- ARRIVAL AT UNIT, June 21, 9:20 am, 20096
- ACCEPTANCE, June 19, 8:45 pm, SEATTLE WA 98158

[Request Delivery Records](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) | [contact us](#) | [FAQs](#) | [search](#) | [keywords](#)

Copyright © 1999-2001 USPS. all rights reserved. [Terms of Use](#) [Privacy Commitment](#)

U.S. Patent Application entitled: "System And Method For Dynamically Controlling A Rogue

Application Through Incremental Bandwidth Restrictions"

Applicant(s):

Hankins

Please stamp and confirm receipt in the U.S. Patent & Trademark Office of the following:

Application Transmittal + copy
 Express Mail Certificate No. EL793271872US
 Filing Fee Amount: Check for \$ 1600
 Authorization to charge or credit Deposit Account No. 501144 PTO
 Power of Attorney/Declaration of Inventor(s)
 Request and Certification Under 35 USC 122(b)(2)(B)(i)
 Specification and Abstract: 26 pages
 Claims: 6 pages
 Drawings: 11 pages
 Formal Drawings Transmittal Letter
 Other: Postcard

Attorney Docket No.: 011.0215.01

Attorney: Patrick J.S. Inouye
Reg. No. 40,297

COPY OF PAPERS
ORIGINALLY FILED



COP



jc978 U.S. PTO
09/885750
06/19/01